

**UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT**

**NATIONAL LABOR RELATIONS
BOARD,**

Petitioner,

v.

**ATLANTIC NORTHEAST
TRANSPORT, INC.,**

Respondent.

Docket No. 17-1220

**ANSWER TO APPLICATION FOR ENFORCEMENT
OF AN ORDER OF THE NATIONAL LABOR RELATIONS BOARD**

Pursuant to Federal Rule of Appellate Procedure 15(b)(2), Atlantic Northeast Transport, Inc. (“ANT”), submits its Answer to the Application for Enforcement of an Order of the National Labor Relations Board (the “Board”), which was filed on or about January 27, 2017, and which seeks enforcement of the Board’s Decision and Order in NLRB Case 22-CA-175081, reported at 326 NLRB No. 155 (“Board’s Order”).

ANT admits that this Court has jurisdiction over this matter and that venue is proper in this Circuit. ANT denies, however, it committed any unfair labor practices and asserts that the Board’s Complaint, Order and Default Judgment are invalid for lack of/improper service, lack of jurisdiction and is not supported by substantial evidence, is arbitrary, capricious, an abuse of discretion, and otherwise

not in accordance with the law. ANT therefore respectfully requests that the Court decline to enforce the NLRB's Decision and Order, which was premised on the above-described errors.

/s/ David K. Broderick

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Counsel for Atlantic Northeast
Transport, Inc.

Dated: March 21, 2017

CERTIFICATE OF SERVICE

I, David K. Broderick, hereby certify that on this date, a true and correct copy of the foregoing Answer to Application for Enforcement of an Order of the National Labor Relations Board was filed electronically with the U.S. Court of Appeals for the Third Circuit, which in turn electronically served the following individual:

Linda Dreeben
Deputy Associate General Counsel
National Labor Relations Board
1015 Half Street, SE
Washington, DC 20570
Counsel for Petitioner

Dated: March 21, 2017

/s/ David K. Broderick
David K. Broderick

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